

**CITY OF BROKEN ARROW  
MINUTES OF  
BOARD OF ADJUSTMENT MEETING  
September 13, 2004**

The Board of Adjustment Agenda was posted at 2:00 p.m., September 8, 2004, on the City Hall Bulletin Board, 220 South First Street, Broken Arrow. The Broken Arrow Board of Adjustment met in a regular meeting in the City Council Chambers at City Hall on Monday, September 13, 2004, at 6:00 p.m.

Present: Jack Keeling, Chairman  
Archer Honea, Vice Chairman  
Ralph Crotchett, Member  
Tim Edmondson, Member  
Rene' L. Ray, Member

Absent: None

Staff Present: Farhad K. Daroga, City Planner  
Brent Murphy, Ass't City Planner  
James T. McHendry, Staff Planner  
Joyce Snider, Admin Ass't  
Hayden Downie, Assistant City Attorney

3. The Board considered the minutes of regular Board of Adjustment meeting held August 9, 2004.

**Motion** by Rene' Ray to approve the minutes of the regular Board of Adjustment meeting held August 9, 2004. The motion was seconded by Ralph Crotchett.

Yes: Ray, Edmondson, Crotchett, Honea, Keeling

No: None

**Motion approved.**

4. The Board considered BOA 650, a request for a variance to reduce the building line setback along Cedar Avenue on Lots 1-2, Block 63 of the Original Town of Broken Arrow, from 25 feet to 12 feet, Gerald W. Snow (Applicant). Brent Murphy presented the background, talked about the effect on new construction of the recently created Downtown Redevelopment District, and said since there is room to construct a structure on the property owned by the property owner, Lots 1 through 6, in accordance with the Zoning Ordinance, application of the ordinance to this particular piece of property does not create an unnecessary hardship, and Staff feels that this application meets the four conditions required for the Board to grant a variance and Staff, therefore, recommends denial of BOA 650.

The Board discussed whether a site plan had been submitted, and the factors related to this case.

Gerald Snow, the applicant, Storybook Homes, 5114 South Hickory, Broken Arrow, said, to show

hardship, he attached a contract for purchase of the property, which Staff later said was not needed. He said he submitted a drawing of the property and the proposed structure as requested by Staff, together with a letter. He said he intended to build three starter homes 1,200 square foot in size on the six lots to sell for \$96,000 each. The size of the house to be constructed on Lots 1 and 2 and related factors related to this project were discussed.

Christopher Smith, 8407 East 60<sup>th</sup> Street, Tulsa, said he owns Lots 5 and 6, Block 63, asked about the building line setback required. The problem associated with BOA 650 was explained to him. Farhad Daroga explained the issues related to building on a 50-foot wide lot. Discussion followed. Jack Keeling suggested to Mr. Smith that he look at the legal description of his property and make sure it is Block 63 in the Original Town of Broken Arrow. It was verified that Mr. Smith's property is in Block 62.

Ken Hartzler, 1237 West Knoxville, Broken Arrow, asked about when a hardship is self-created and Farhad Daroga answered the question. Discussion followed.

**Motion** by Tim Edmondson to deny BOA 650 as recommended by Staff. The motion was seconded by Ralph Crotchett.

Yes: Ray, Edmondson, Crotchett, Honea, Keeling

No: None

**Motion approved.**

**5. REMARKS, INQUIRIES AND COMMENTS BY BOARD MEMBERS AND STAFF (NO ACTION)**

Farhad Daroga said the Zoning Code Update Steering Committee has recommended the City Council enter into a contract with Clarion & Associates, of Denver, Colorado and the contract is under review by the Legal Department. All of the issues discussed this evening and others will be reviewed in the next year and the contractor will, during that time, meet with the Board of Adjustment. Tim Edmondson, who is a member of the Steering Committee, expressed a positive opinion regarding the firm chosen to complete the update. Farhad Daroga talked about the Downtown Development District that has been created by the City Council. Archer Hone said the quality of life issue is involved in the development of minimum lot frontage.

**4. Motion** at 6:45 p.m. by Archer Honea to adjourn. The motion was seconded by Tim Edmondson.

Yes: Ray, Edmondson, Crotchett, Honea, Keeling

No: None

**Motion approved.**